



**WESTERN MARINE CONSTRUCTION INC.**

2775 HARBOR AVE SW  
SUITE A  
SEATTLE, WASHINGTON 98126  
(206) 622-9161  
FAX (206) 622-9170

L. DossF  
12.3.232.1  
9-19-12

September 19, 2012

**Via Express Mail**

United States Environmental Protection Agency, Region 10  
Aaron Lambert, Environmental Protection Specialist  
Environmental Cleanup Office, ECL-111  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101

Re: Response to Section 104(e) Supplemental Request for Information for the  
Lower Duwamish Waterway Superfund Site, Seattle, WA

Dear Mr. Lambert:

We are submitting this response to the Section 104(e) Supplemental Request for  
Information ("104(e) SR") from the U.S. Environmental Protection Agency ("EPA").  
The 104(e) SR, which was issued in connection with the Lower Duwamish Waterway  
Superfund Site, requested information and documents specifically relating to the  
following King County Parcel Numbers and locations:

Parcel Number 6871200695 @ 7245 - 2<sup>nd</sup> Ave. S., Seattle, WA 98108  
Parcel Number 7327903645 @ 7760 - 8<sup>th</sup> Ave. S., Seattle, WA 98108  
Parcel Number 6871200035 @ 160 S Orchard St., Seattle, WA 98108  
Parcel Number 2924049090 @ 7100 - 2<sup>nd</sup> Ave. S.W., Seattle, WA 98106

This response is based on all existing records and information of Western Marine  
Construction, Inc. ("Western Marine"), as well as certain public records obtained from  
King County.

**INTRODUCTION AND OBJECTIONS**

The attached Response to the 104(e) SR and related documents and exhibits  
demonstrate that Western Marine has conducted no activities at subject sites that warrant  
the issuance of a General Notice Letter to Western Marine Construction, Inc.

Western Marine has conducted a diligent search for records responsive to the  
104(e) SR. Enclosed you will find our Response and documents labeled "Exhibits" that  
are relative to the Request sections as indicated.

**USEPA SF**



**1381924**

Again, Western Marine desires to fully cooperate in EPA's investigation. However, it objects to these requests to the extent that they seek documents or information protected from disclosure by the attorney-client privilege or attorney-client communications. In addition, we object to the statement that "EPA has documented that such a release of hazardous substances, pollutants or contaminants has occurred at the Site" and that the EPA "continues to investigate the releases or threat of releases of hazardous substances associated with the Lower Duwamish Waterway Superfund Site" but does not state what, exactly where, or when said release(s) took place, or is still taking place. As set forth in the attached Response, the evidence indicates that Western Marine has not been associated with a release of a hazardous substance, pollutant or contaminant.

Subject to and without waiving the above objections, Western Marine's Response to EPA's 104(e) SR, including certification and responsive documents, is enclosed.

Sincerely,

WESTERN MARINE CONST., INC.



Kriss E. Hart  
President

Encl: as noted.